

REMARKS

Applicant respectfully requests reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

Claims 1, 9, and 19-20 are currently being amended. Support for the new claims can be found, at least, in the specification, e.g., page 5, line 24 to page 6, line 10, the figures, e.g., figures 2A, 2B, 3, 5A, 5B, and 5C, and the claims as filed, e.g., claims 2-3. No new matter has been added.

Claims 21-24 are being added. Support for the new claims can be found, at least, in the specification, e.g., page 5, line 24 to page 6, line 10, the figures, e.g., figure 3, and the claims as filed. No new matter has been added.

This amendment adds, changes and/or deletes claims in this application. A detailed listing of all claims that are, or were, in the application, irrespective of whether the claims remain under examination in the application, is presented, with an appropriate defined status identifier.

After amending the claims as set forth above, claims 1-24 are now pending in this application.

Examiner Interview Summary

Applicant thanks Examiner David Sorkin for the telephonic examiner interview on January 6, 2009. During the interview, the applicant and the examiner discussed the independent claims 1, 9, and 19-20 in view of the references cited in the Office Action dated 05/28/2008. In particular, the applicant and the examiner discussed Jorgensen (WO 02/28451) and Knoll et al. (US 5,242,398). During the interview, the examiner suggested claim limitations directed towards the size of axial openings of the walls compared to the size of an axial opening of the expandable wall. The applicant has amended the independent claims 1, 9, and 19-20 substantially based on

the examiner's suggested claim limitations. As such, applicant believes that the claims 1-24, as now amended, are now in a condition for allowance.

Claim Rejections under 35 USC 102

1. The Office Action rejected claims 1, 4-6, 8, 9, 11, 12, and 14-20 under 35 USC 102(b) as being anticipated by WO 02/28451 (Jorgensen). Applicant respectfully disagrees with this rejection.

In some embodiments, the present application is directed to a flexible centrifugal chamber as presented in claim 1, as now amended, of the present application. The flexible centrifugal chamber includes “a first circular side wall with a first axial opening” and “a second, opposing circular side wall with a second axial opening.” The flexible centrifugal chamber further includes “an expandable wall extending between an outer circumference of each of the first and second opposing circular side walls” and “the expandable wall with a third axial opening larger than the first and second axial openings.” Independent claims 9 and 19-20, as now amended, are similarly presented.

Jorgensen describes that the “chambers are constructed from the two sheets of flexible material, the two sheets of material sealed at an outer circumference.” (Jorgensen: page 3, lines 7-12). Exemplary chambers in Jorgensen are illustrated in FIGs. 3, 4, 7, and 8, showing the two sheets of material sealed at an outer circumference. To the extent the two sheets of material correspond to the first and second opposing circular side walls, Jorgensen does not describe, teach, or suggest providing an “expandable wall extending between an outer circumference of each of the first and second opposing circular side walls” or “the expandable wall with a third axial opening larger than the first and second axial openings.”

Furthermore, even if a plurality of adjacent, connected bags are connected together in Jorgensen, as set forth on page 2 of the Office Action dated 5/28/2008, the axial openings of the two adjacent sheets of the two adjacent connected bags, i.e., the expandable wall as set forth in

the Office Action, would be the same size as the axial openings of the outer walls of the two adjacent sheets. In other words, if two of the expressor bags as illustrated in Figure 3 of Jorgensen were combined together to form the flexible centrifugal chamber, the axial opening of the expendable wall would be the same size as the axial openings of the side walls. Thus, Jorgensen does not teach, suggest, or describe “the expandable wall with a third axial opening larger than the first and second axial openings.”

As such, claims 1, 4-6, 8, 9, 11, 12, and 14-20, as now amended, are now in a condition for allowance, and Applicant respectfully requests the withdrawal of the rejection of claims 1, 4-6, 8, 9, 11, 12, and 14-20. Furthermore, new claims 21-24, which depend directly or indirectly from independent claims 1 and 9, respectfully, are also in a condition for allowance based, at least, on their dependency from claims 1 and 9 and their distinctions over the cited prior art.

2. The Office Action rejected claims 1, 4-6, 8, 9, 11, 12, and 14-18 under 35 USC 102(b) as being anticipated by Knoll et al. (US 5,242,398). Applicant respectfully disagrees with this rejection.

The Knoll et al. reference is directed to a catheter assembly including a sheath having a “plurality of fold lines which form accordion-like pleats to enable a collapse of the sheath.” (Knoll et al.: abstract). The sheath in Knoll et al. is used to preserve the sterility of a catheter during insertion into a patient. (Knoll et al.: col. 2, lines 31-34). As illustrated in Figure 1 of Knoll et al., the annular pleats 28 extend along the catheter assembly, and the annular pleats 28 are uniformly circular throughout the length of the catheter assembly. (Knoll et al.: col. 5, lines 59-66, see Figure 1).

Knoll et al. does not teach, suggest, or describe “the expandable wall with a third axial opening larger than the first and second axial openings.” Rather, Figures 1-4 of Knoll et al. illustrate that any such expandable wall as set forth on page 7 of the Office Action dated 5/28/2008 has the same size axial opening as any such side wall. Even if the left-most pleat 28 is considered to be a side wall and the right-most pleat 28 is considered to be the other side wall,

the pleats 28 in between those side walls have the same size axial opening as the side walls. Thus, any such expandable wall in Knoll et al. does not have a third axial opening that is larger than the first and second axial openings in the side walls.

As such, claims 1, 4-6, 8, 9, 11, 12, and 14-18, as now amended, are now in a condition for allowance, and Applicant respectfully requests the withdrawal of the rejection of claims 1, 4-6, 8, 9, 11, 12, and 14-18. Furthermore, new claims 21-24, which depend directly or indirectly from independent claims 1 and 9, respectfully, are also in a condition for allowance based, at least, on their dependency from claims 1 and 9 and their distinctions over the cited prior art.

Applicant believes that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by the credit card payment instructions in EFS-Web being incorrect or absent, resulting in a rejected or incorrect credit card transaction, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

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